United Nations A/69/752

General Assembly

Distr.: General
3 February 2015

Original: English

Sixty-ninth session
Agenda item 68
Promotion and protection of human rights

Letter dated 28 January 2015 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith information on Uzbekistan's experience in improving the institutional framework of non-governmental organization activities (see annex).

I would appreciate it if you could circulate the present letter and its annex as a document of the sixty-ninth session of the General Assembly, under its agenda item 68.

(*Signed*) Muzaffar **Madrakhimov**

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Annex to the letter dated 28 January 2015 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Improving the institutional and legal framework for non-governmental organization activities: the experience of Uzbekistan

In the period since Uzbekistan achieved independence, a legal framework has been put in place that creates the conditions necessary for the effective functioning of non-governmental non-profit organizations.

The Constitution of Uzbekistan guarantees the right of citizens to form trade unions, political parties and other public associations, and to participate in social movements. Article 58 of the Constitution stipulates that the State shall safeguard the rights and lawful interests of public associations and give them equal legal opportunities to participate in public life.

Those constitutional provisions have been further developed through a series of special statutes that lay down the rights and powers of public associations and guarantees for their functioning.

In 1991 the Public Associations Act was adopted, setting out the principles for the establishment and operation of public associations — the principles of voluntarism, the equal rights of members (participants), self-regulation, observance of the law and openness.

The Act prohibits interference by government agencies and officials in the activities of public associations as well as interference by public associations in the activities of government agencies and officials.

In 1999 the Non-Governmental Non-profit Organizations Act came into force, setting out the legal status of non-governmental organizations, the procedure for their establishment and official registration, their rights and obligations, and the economic basis for their activities.

The Public Funds Act, adopted in 2003, regulates the establishment, operation, reorganization and liquidation of public funds. The Act guarantees the unhindered operation of such funds, the independence of their holdings and the protection of their business reputation.

The development of non-governmental organizations was given a boost with the adoption in 2007 of the Act on Guarantees for the Activities of Non-Governmental Non-profit Organizations, which enshrines the legal underpinnings guaranteeing the functioning of such organizations and protections for their rights and lawful interests. In particular, the Act prohibits hindrances to or interference in non-governmental organization activities. The Act also guarantees access to information for these organizations and entitles them to seek from government agencies and officials the information required for the implementation of their statutory activities.

Another article of the Act protects non-governmental organizations against unlawful decisions by government agencies and the actions or inaction of government officials. A special chapter of the Act is devoted to issues relating to State support for non-governmental organization activities. In particular, it sets out such forms of State support as subsidies, grants and government procurement, and the procedure and conditions for the provision of such support.

Legislative provisions on tax breaks and other preferential rates for mandatory payments are an important factor in ensuring the financial stability of non-governmental organizations. Under the Tax Code, such organizations are exempt from corporate income tax, value added tax, corporate property tax, land tax, and other taxes and mandatory contributions.

In addition to the development of legislation, measures have also been taken in Uzbekistan to provide practical support for socially beneficial non-governmental organization activities.

Since 2003, the Independent Institute for Monitoring the Formation of Civil Society and its regional offices have been providing information and methodological support to non-governmental organizations.

The National Association of Non-Governmental Organizations of Uzbekistan, with a membership of over 450 public organizations, has been in operation since its establishment in 2005. The Association has put in place an effective system of organizational, financial and logistical support for its members and is engaged in work to consolidate the efforts of non-governmental organizations in implementing socially significant projects and programmes.

The activities of the Women's Committee of Uzbekistan and the Ecological Movement of Uzbekistan — whose statutory purpose is to support women's non-governmental organizations and environmental non-governmental organizations, respectively — are also geared towards strengthening specialized non-governmental organizations.

In 2008, pursuant to a resolution of the Oliy Majlis (legislature) of Uzbekistan, a public fund of the supreme legislative body was established to support non-governmental organizations and other civil institutions; a parliamentary commission was also established to manage the moneys in the fund.

Between 2008 and 2013, budgetary resources amounting to over 28.9 billion sum were allocated to the fund to support the implementation of a range of social projects by non-governmental organizations and other civil institutions. These resources were used to support initiatives of civil institutions through grant competitions, subsidies and government procurement, as decided by the parliamentary commission.

A milestone in the latest phase of development of civil society was reached at a joint meeting of the houses of parliament in November 2010, at which the President of Uzbekistan, I. A. Karimov, presented a policy outline on further deepening democratic reforms and advancing the formation of civil society in Uzbekistan. This document outlines the tasks to be undertaken in drafting and adopting new laws, including laws that will ensure greater involvement of civil institutions in building the State and society.

Consequently, in December 2013 the Environmental Control Act came into force, under which non-governmental organizations are granted the authority to carry out public environmental control and to participate in the preparation and adoption of decisions on environmental protection. Non-governmental organizations are also entitled to make proposals to the relevant government agencies on measures to address violations of environmental laws and on the rational use of natural resources.

In September 2014, the Social Partnership Act was enacted and came into force. The purpose of this Act is to improve the institutional and legal mechanisms for cooperation between non-governmental organizations and government offices in implementing programmes aimed at achieving socioeconomic development, addressing humanitarian problems, and protecting the rights, freedoms and interests of various segments of the population.

In addition, a draft law on public oversight in the Republic of Uzbekistan has been prepared and is currently being discussed. Work is under way on a national programme of action on human rights that will include public monitoring measures to ensure compliance with laws on human rights and freedoms, particularly by law enforcement and regulatory authorities.

The adoption of presidential decision No. 2085 of 12 December 2013 on additional measures to further the development of civil society was a landmark event.

Pursuant to that decision, steps have been taken to simplify the procedure for registration of and reporting by non-governmental organizations and to improve the institutional and legal mechanisms for their cooperation with government agencies. In particular, as of 1 January 2014, the fees levied for official registration of a non-governmental organization and of its logo have been reduced to 20 per cent and 40 per cent, respectively, of the previous levels. The time frame for the review of applications for registration of non-governmental organizations by judicial authorities has been shortened from two months to one month. The Ministry of Justice has also been instructed to take measures to ensure that government agencies and offices respect the rights and interests of non-governmental organizations enshrined in domestic law and in international treaties to which the Republic of Uzbekistan is a party.

The monitoring conducted to date indicates that these measures have not only contributed to growth in the number of non-governmental organizations but have also helped to further enhance their role in effecting democratic change in Uzbekistan and developing and implementing crucial socioeconomic development programmes.